pecially in developing guidelines for (1) providing technical assistance for wildlife habitat improvement practices, (2) evaluating effects on surrounding areas, (3) considering aesthetic values, (4) checking compliance by cooperators, and (5) carrying out programs of wildlife management authorized under this chapter: Provided, That such board shall limit its advice to subjects which cover the types of conservation measures that should be approved regarding the water bank program; the authorization to purchase perpetual easements to promote the purposes of this Act, as described in section 1501 of this title; the providing of long-term upland game cover; and the establishment and management of approved practices on multiyear setaside contracts as provided in section 1505 of

(Pub. L. 91-524, title X, §1007, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 244; amended Pub. L. 93-125, §1(g)(ii), Oct. 18, 1973, 87 Stat. 450.)

References in Text

This Act, referred to in subsec. (b), is Pub. L. 91-524, which is popularly known as the Agricultural Act of 1970. For complete classification of this Act to the Code, see Short Title note set out under section 1281 of Title 7, Agriculture, and Tables.

AMENDMENTS

1973—Subsec. (a). Pub. L. 93-125 substituted a period for the colon at end.

TERMINATION OF ADVISORY BOARDS

Advisory boards established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Emplovees.

§ 1508. Coordination with and utilization by Secretary of Federal, State, and local services and facilities to carry out programs and plans

In carrying out the programs authorized under sections 1501 through 1506 of this title, the Secretary shall, in addition to appropriate coordination with other interested Federal, State, and local agencies, utilize the services of local, county, and State committees established under section 590h of this title. The Secretary is also authorized to utilize the facilities and services of the Commodity Credit Corporation in discharging his functions and responsibilities under this program. The Secretary shall also utilize the technical services of the Soil Conservation Service, the Forest Service, State forestry organizations, soil and water conservation districts. and other State, and Federal agencies, as appropriate, in development and installation of approved conservation plans under this chapter.

(Pub. L. 91-524, title X, §1008, as added Pub. L. 93–86, $\S1(28)$, Aug. 10, 1973, 87 Stat. 244.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2103 of this title.

§1509. Repealed. Pub. L. 95-313, §16(a)(7), formerly § 13(a)(7), July 1, 1978, 92 Stat. 374; renumbered § 16(a)(7), Pub. L. 101-624, title XII, § 1215(1), Nov. 28, 1990, 104 Stat. 3525

Section, Pub. L. 91-524, title X, §1009, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 245, set forth provisions relating to establishment, funding requirements, etc., for the forestry incentives program.

EFFECTIVE DATE OF REPEAL

Section repealed effective Oct. 1, 1978, see section 17 of Pub. L. 95-313, set out as an Effective Date note under section 2101 of this title.

§ 1510. Authorization of appropriations; construction and continuation of programs, contracts, and authorities

There are hereby authorized to be appropriated annually such sums as may be necessary to carry out the provisions of this chapter. The programs, contracts, and authority authorized under this chapter shall be in addition to, and not in substitution for, other programs in such areas authorized by this chapter or any other title or Act, and shall not expire with the termination of any other title or Act.

(Pub. L. 91–524, title X, $\S1010$, as added Pub. L. 93-86, §1(28), Aug. 10, 1973, 87 Stat. 245; amended Pub. L. 95-313, §16(a)(7), formerly §13(a)(7), July 1, 1978, 92 Stat. 374, renumbered §16(a)(7), Pub. L. 101-624, title XII, §1215(1), Nov. 28, 1990, 104 Stat. 3525.)

References in Text

Any other title, referred to in text, probably has reference to any other title of Pub. L. 91-524, which is popularly known as the Agricultural Act of 1970. For complete classification of this Act to the Code, see Short Title note set out under section 1281 of Title 7, Agriculture, and Tables.

AMENDMENTS

1978—Pub. L. 95-313 struck out proviso relating to limitation on authorization of appropriations for forestry incentives program.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-313 effective Oct. 1, 1978, see section 17 of Pub. L. 95–313, set out as an Effective Date note under section 2101 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2111 of this title.

CHAPTER 35—ENDANGERED SPECIES

Sec. 1531.

Congressional findings and declaration of purposes and policy.

- (a) Findings.
- (b) Purposes.
- (c) Policy.

1532.

Definitions.

1533. Determination of endangered species and threatened species.

- (a) Generally.
- (b) Basis for determinations. (c) Lists.
- (d) Protective regulations.
- (e) Similarity of appearance cases.
- (f) Recovery plans.
- (g) Monitoring.
- (h) Agency guidelines; publication in Federal Register; scope; proposals and amendments: notice and opportunity for comments.

Sec.

(i) Submission to State agency of justification for regulations inconsistent with State agency's comments or petition.

1534. Land acquisition.

- (a) Implementation of conservation program; authorization of Secretary and Secretary of Agriculture.
- (b) Availability of funds for acquisition of lands, waters, etc.

1535. Cooperation with States.

- (a) Generally.
- (b) Management agreements.
- (c) Cooperative agreements.
- (d) Allocation of funds.
- (e) Review of State programs.
- (f) Conflicts between Federal and State laws.
- (g) Transition.
- (h) Regulations.
- (i) Appropriations.

1536. Interagency cooperation.

- (a) Federal agency actions and consultations.
 - (b) Opinion of Secretary.
 - (c) Biological assessment.
 - (d) Limitation on commitment of resources.
 - (e) Endangered Species Committee.
 - (f) Promulgation of regulations; form and contents of exemption applica-
 - (g) Application for exemption; report to Committee.
 - (h) Grant of exemption.
 - (i) Review by Secretary of State; violation of international treaty or other international obligation of United
 - (j) Exemption for national security reasons.
 - (k) Exemption decision not considered major Federal action; mental impact statement.
 - (1) Committee order granting exemption; cost of mitigation and enhancement measures; report by applicant to Council on Environmental Quality.
 - (m) Notice requirement for citizen suits not applicable.
 - (n) Judicial review.
 - (o) Exemption as providing exception on taking of endangered species.
 - (p) Exemptions in Presidentially clared disaster areas.

1537. International cooperation.

- (a) Financial assistance.
- (b) Encouragement of foreign programs.
- (c) Personnel.
- (d) Investigations.

1537a. Convention implementation.

- (a) Management Authority and Scientific Authority.
- (b) Management Authority functions.
- (c) Scientific Authority functions; determinations.
- (d) Reservations by the United States under Convention.
- (e) Wildlife preservation in Western Hemisphere.

1538. Prohibited acts.

- (a) Generally.
- (b) Species held in captivity or controlled environment.
- Violation of Convention.
- (d) Imports and exports.
- (e) Reports.
- (f) Designation of ports.
- (g) Violations.

1539. Exceptions.

- (a) Permits.
- (b) Hardship exemptions.
- (c) Notice and review.
- (d) Permit and exemption policy.
- (e) Alaska natives.
- (f) Pre-Act endangered species parts exemption; application and certification; regulation; validity of sales contract; separability; renewal of exemption; expiration of renewal certification.
- (g) Burden of proof.
- (h) Certain antique articles; importation; port designation; application for return of articles.
- (i) Noncommercial transshipments.
- (j) Experimental populations.

1540. Penalties and enforcement.

- (a) Civil penalties.
- (b) Criminal violations.
- (c) District court jurisdiction.
- (d) Rewards and incidental expenses.
- (e) Enforcement.
- (f) Regulations.
- (g) Citizen suits.
- (h) Coordination with other laws.

1541. Endangered plants.

Authorization of appropriations. 1542.

- (a) In general. (b) Exemptions.
- (c) Convention implementation.
- 1543. Construction with Marine Mammal Protection Act of 1972.
- 1544. Annual cost analysis by Fish and Wildlife Service.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 410aaa-80, 460iii-5, 460jjj-1, 620, 1362, 1371, 1387, 1389, 1853, 2404, 2407, 2408, 2705, 2902, 2912, 3125, 3741, 3743, 4202, 4241, 4244, 4401, 4402, 4404, 4802, 4805, 4912, 5301 of this title; title 7 sections 136, 2814; title 33 section 2283.

§1531. Congressional findings and declaration of purposes and policy

(a) Findings

The Congress finds and declares that-

- (1) various species of fish, wildlife, and plants in the United States have been rendered extinct as a consequence of economic growth and development untempered by adequate concern and conservation;
- (2) other species of fish, wildlife, and plants have been so depleted in numbers that they are in danger of or threatened with extinction;
- (3) these species of fish, wildlife, and plants are of esthetic, ecological, educational, historical, recreational, and scientific value to the Nation and its people;
- (4) the United States has pledged itself as a sovereign state in the international community to conserve to the extent practicable the various species of fish or wildlife and plants facing extinction, pursuant to-
 - (A) migratory bird treaties with Canada and Mexico:
 - (B) the Migratory and Endangered Bird Treaty with Japan;
 - (C) the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere:
 - (D) the International Convention for the Northwest Atlantic Fisheries: